# European Intelligence.

# Arrival of the Great Britain.

Four days Later from Europe.

free. She passed the Banks in lat. 45 deg., and saw transatlantic States.

both Houses. the Buckinghamshire Railway Company have been fraudulently imitated, and sent in among the brokers jobbers for sale.

LIVERPOOL, May 5th .- The battle between the Free evening of Monday last. The conflict was commennot a fair stand-up fight. The contest was unequal. George his power of endurance. Mr. D'Israeli, who is great in fiction, still greater in personal rencontre, broke a lance in defending his fallen friend; but the House affirmed, by 181 to 85, that the Protectionists leader had not virtually a "leg to stand upon."

found numerous bodies resolved to prevent all chances of collision with the United States, if there is any force in that system of "addresses" which has been recently contrived. An address has just been sent to the citizens of Cincinnati, and of the United States generally, by the inhabitants of Exeter, who have signed to the number of 1600. The women of Exeter, wished to join in this address, but it seems there was no precedent for uniting their names with those of the men. They therefore resolved to have accordingly got up an address of their own, and have accordingly got up an address of their own, and have accordingly got up to the countering fatigues and overan address of their own, and have accordingly got up Division of the North, encountering fatigues and overone to the "Women of Philadelphia," to which they covered by parapets and defended by cannons of heavy never unclothed, and vegetable productions are al-

have entered into a further contract with the British ment their own property by despoiling others, but in favor and North American Royal Mail Company, the effect of the independence of the country; well he knew, we of which is to secure a weekly communication by steam again repeat, that Mexicans have no dread either of between Liverpool and the United States of America.

A steamer of great power and size will be despatched A steamer of great power and size will be despatched direct from Liverpool to New York every alternate Saturday during eight months of the year. These trips are to be performed as additional voyages, and irrespective of the fortuicitly yovages to Halifay and some wag.

The march was observed from this place, during the chief of the American forces, familiated the months in the chief of the familiated the months in the chief of the familiated the mon irrespective of the fortnightly voyages to Halifax and ons. The march was observed from this place, during Boston; as this latter service will continue just as at which his Excellency Sr. General D. Francisco Mejia, present, with the alteration of sailing from Liverpool sent an express to communicate the notice to the Generas well as from Boston always on Saturdays instead at in-Chief. Here we must render to our heroes the eight in the Re public. of a fixed day of the month as at present. The steamers to New York will also take their departure. The who had not yet reached the river, of the retreat of steamers to New York will also take their departure the enemy;—they immediately set off at a run spontane-the enemy;—the enemy immediately set off at a run spontane-the enemy;—the enemy immediately set off at a run spontane-the enemy be a steamer from Liverpool to America every Satur- the anxious desire to come up with the enemy. The will alternately be the ports of departure. At present we are not enabled to state the precise time when these weekly sailings will commence, but no doubt we may look for the alteration to come into play as soon as the required number of ships can be got ready to undertake such a vast service.

Counter, frustrated the active measures of Sr. Gen. Arista, that the journals have designated the candidates for Governors of California and the State of Tamaulipass. Of the brilliant prospects and towering greatness of the American destiny, the Courrier says that one power alone in the world is strong enough to step the ready to undertake such a vast service.

The mercantile world will reap immense advantages from it; and who can estimate its importance to the multitudes emigrating, and having connexions in the western world? In thus taking this important movement in ocean steaming, the Government have anticipated the wishes of the merchants of Great Britain cipated the wishes of the merchants of Great Britain did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag? Why did they not remain firm at the toot of the flag?

more particularly on the bones of the animals which have swallowed them. Thus, on the bones of the states as a fact deduced from the results of reports their shame behind the most distant parapets, had the barrent there are formed, in less that twenty-four hours, osseous excrescences of an oblong form, which gradien, since it was not easy to destroy the fortifications of insane persons among the Quakers of England and ifficies, since it was not easy to destroy the fortifications.

Scotland is much larger than prevails among the Pavette of the properties of the surviving combatant.—

Black morecco Dress Slippers; their shame behind the most distant parapets, had the barrent to show that the proportion of all offices shall not be diminished during their continuance of the states as a fact deduced from the results of reports that twenty-four hours, barrity to direct their arms on the city, to destroy the edition of all offices shall not be diminished during their continuance of the states as a fact deduced from the position is of itself sufficient to show that the proportion barrity to direct their arms on the city, to destroy the edition of all offices shall not be diminished during their continuance of the states as a fact deduced from the position is of itself sufficient to show that the barrity to direct their arms on the city, to destroy the edition of all offices shall not be diminished during their continuance of the states as a fact deduced from the position is of itself sufficient to show that the barrity to direct their arms on the city, to destroy the edition of all offices shall not be diminished during their continuance of the states as a fact deduced from the position is of itself sufficient to show that the barrity to direct their arms on the city, to destroy the edition of all offices shall not be diminished during their continuance of the sufficient to show the states as a fact deduced from the position of all offices shall not be diminished during their continuance of the sufficient to show the s feet there are formed, in less that twenty-four hours, osseous excrescences of an oblong form, which gradually assume so formidable a development that they prevent the beasts from walking: the same phenomework is then manifested in the lower jaw, which is at the same time enlarged, and extends in all directions of seconsiderably, that it eventually splits in several places; whilst on the teeth of the upper jaw there is places; while the interest of the upper jaw there is places; while the interest of the marked washington. The still to the impression cashing to each of the upper jaw there is places; while the interest of the teeth of the upper jaw the interest of the teeth of the upper jaw there is places; while the impression cashing the upper jaw the interest of the teeth of the upper jaw the interest of the teeth of the upper jaw the interest of the teeth of the upper jaw the upper jaw non is then manifested in the lower jaw, which is at cowards, fortunately did not succeed as they intended. attained a height of 14,400 feet; and their breadth exceeded the greatest breadth of the river Picersen, the most considerable river in Iceland. The lava had already formed lofty mountains; and amongst the masses of pumice slone vomited by the volcance, and which have been found at a distance of three-fourths of a mile, there were some which had accumulated for soveral spartly fallen in the river Rangen, which has overflowed its banks several times. The waters of that

river, which runs almost at the foot of Mount Hecla, covered,-the terror and panie with which they retreat-

pump was broken, and she has been altogether six it will be requisite to augment the import duty on days of her passage under sails only, the propeller being disconnected. He greatest speed under sail the propositions made to the Zollverin tending to facilitate the means of a direct commerce with the She was 91 knots close hauled, and 111 knots a little cilitate the means of a direct commerce with the She was shown in lat. 45 deg., and saw

the 1st inst., and the subsequent cannonading between to come out of the Fronton and give us battle."

London, May 8—(evening).—The discovery of forgeries in the share market has created quite a sensa- ment opposite. Read in connexion with the events tion this morning. It is stated that so far as the case which have since occurred, and with the well known had been traced, upwards of 1,250 scrip securities of fact that only one man (a sergeant) was killed in the of Campaign.—Among the papers found in the cap-Am. Fort on the 3rd and 4th, and only three up to the tured effects of Arista, was the morning return of the date of the last accounts, (14th inst.) nothing can be Mexican force on the day of the battle, which shows more ridiculous,—unless it be the reports of the same affair which first reached this country, representing that 700 Mexicans were killed, their batteries site of the strength of the enemy to have exceeded 8,000; the strength of the enemy to have exceeded 8,000; the strength of the enemy to have exceeded 8,000; that 700 Mexicans were killed, their batteries site of the strength of the enemy to have exceeded 8,000; the strength of the enemy to Traders and the Protectionists was renewed on the lenced, town burnt, &c. The Eagle admits the death Grande. Gen. Arista's Aid, while making arrangeevening of Monday last. The conflict was commen-of one sergeant and two artillerymen on the Mexican ced by a nobleman well acquainted with the turf, but side during the cannonading of the 3rd, which is two deplorably at sea in his statistics. Sir Robert Peci more than were killed in the American Fort. On the stated that the Mexican loss, in killed on the field of followed in a crushing rejoinder, sparkling with brilfollowed in a crushing rejoinder, sparkling with bril-whole, the firing on both sides appears to have been liancy and point. The hero of Newmarket was mer-nearly harmless. We should like to see what the cilessly unhorsed, and tumbled in the mud. It was Eagle will say of the actions of the 8th and 9th. Per- who perished in his flight in the waters of the Rio not a fair stand-up fight. The contest was unequal. haps by this time it has found out that Gen. Taylor is Grande. In this number, the wounded and prisoners Sir Robert showed his power of punishment, Lord not so great a coward as it supposed him to be.— of course are not included. Fifteen hundred Mexi-Jour of Com.

From the Matamoras Eagle, May 4th. The first day of this month at 11 A. M., his Excellencorn bill. All the clauses of the bill were agreed to, pose of passing the river at no great distance from the and the report was ordered to be received last night.

The third reading will take place on Monday, and towards the end of the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week, the wisdom of the lords will be not to the following week. the lords will be put to the test respecting the mea-sure. tary art, on the difference of the command of Gen. Torrejon into the conquered country. London, May 6.—The "peace movement," confrom the enemy was so great, that they appeared sorrowfrom the enemy was so great, that they appeared sorrowful at the delay caused by the injuries received by the flat
other country of equal extent in the known world. lished some time ago, is proceeding with the utmost boats that had necessarily been conveyed by land on carts, The low situations are the hottest and most unhealthy. vigor, and in various parts of the country are to be and were so much damaged that they immediately filled What is called the rainy season usually lasts from have subscribed no less than 1600 names. The num- calibre, can, with indisputable advantage, await the at- ways to be obtained in the markets. High winds are ber includes persons of the most varied ranks in society.—Times.

Weekly Steam Communications with America.

Can, with a multitude of fortifications, which a multitude of fortifications, the defence were easy against those who present to them their bare breasts. But General Taylor dared not them their bare breasts.

Chronicle. -We are enabled to make an announcement regarding the conveyance of mails by steam between this would have rushed upon the usurpers of our national tercountry and America, which will be hailed with gratification by the whole community. The Government to avenge, those who have grasped their arms not to aug- Colonels Carasco and Carabajal, are pronounced by

had passed the resolution for giving the notice, and, as we have intimated in another column, it had no risible effect on the cotton or any other market. This is most gratifying. We are now in the second act of the Orgon drams, under Mr. Polk's managementmay the concluding one be as satisfactory and pacific.—European Times.

Now that the long debate is at an end, the field of negotiation is again opened; and we hope and be lieve, that both Governments will enter into it with a full determination to adjust a question which, however really unimportant to either country, has been time given rise to serious apprehensions, lest the peace of the world should be disturbed.

Europross or Hecla,—Letters from Iceland, received at Copenhagen, state that a great misformed the contrete what is in reality the exagegrated skill of the American campts which they shaltered themselves under, because of the world should be disturbed.

Europross or Hecla,—Letters from Iceland, received at Copenhagen, state that a great misform of our dearest event of the contrete what is in reality the exagegrated skill of the American campt; in the streets of want daily; and the deaths were so material that manuform of that the amount of mortality could not be the streets of first necessity had risen of first necessity had risen of first necessity had risen to a moment that by and the amount of mortality could not be the streets were filled, and all were all were allowed to first necessity had risen to a moment that by and the deaths were so mount earlie's particle sever, and all were allowed the campt in the streets were filled, and all were allowed the composition of first necessity had risen to a moment that by and the deaths were so fins the clear of first necessity had risen to account the amount of mortality counts and the neighboring. Accounts the amount of mortality counts and the neighboring accounts, and the neighboring output, and the counts, had the neighboring output, and the heads of first necessity had risen to account the amount o

and which receives a large portion of the burning lava, were so hot that every day they cast upon the bank numbers of dead trout, almost half baked.

Every night vivid streaks of the aurora borealis illumined the sky?"

Every night vivid streaks of the aurora borealis illumined the sky?" The steamer Great Britain, Capt. Hosken, arrived at New York on the 29th, from Liverpool, having sailed on the 9th of May.

The Great Britain left Coburg dock at 9h. 55m. A. The Great Britain left Coburg dock at 9h. 55m. A. M., on the 9th ult. On the 13th the guard of the air pump was broken, and she has been altogether six it will be requisite to augment the importation from the Zollverin are to prove that the enemy has suffered terrible injury. It is true that from time to time we fired a few cancelled at Carlsruhe. The question will be distinct from the sky."

Mined the sky."

Germany.—The delegates of the Zollverin are to prove that the enemy has suffered terrible injury. It is true that from time to time we fired a few cancelled at Carlsruhe. The question will be distinct from the sky." ree. She passed the Banks in lat. 45 deg., and saw no ice. Arrived at Sandy Hook at 9h. 15m. on the 29th, making the passage in twenty days. Twenty-eight passengers.

The news is on the whole favorable, both politically and commercially. Coston had advanced an eighth. By the way of Havre, Washington advices had been received in London, to the 16th ult., containing the result on the Oregon question in the Senate, though not the final adoption of the resolution of Notice in both Houses.

Self within reach of our batteries. To conclude, we insert a brilliant paragraph in the answer given by his Excellency the General-in-Chief, to the account which he received of the proceedings of yesterday. He says, "Mexico ought to glory, especially the valiant divisions of the North, that a force inferior in discipline, and perceive their necessary supplies from the Capital, are proudly defying, on an immense plain, the army of the North" of May 4th, giving an account of what it calls the "retreat of Gen. Taylor" to Point Isabel on the 1st inst., and the subsequent cannonading between

MEXICAN STATEMENT OF THEIR OWN LOSS .- PLAN can muskets (all King's arms,) had been collected by

our troops. The plan of campaign as developed by Arista's eader had not virtually a "leg to stand upon."

On Tuesday, the House went into committee on the run Texas; and, having effected "the conquest of that revolted province," if it should be necessary to secure the fruits of victory, it was arranged that General Paredes himself should march an army of occupation

How THEIR NAMES ARE PRONOUNCED .- The names of Generals Arista, Ampudia, Mejia and Canales, Spaniards, as nearly as possible, as follows :- A-reesta, Am-poo-dia, Ma-hee-a, Ca-na-les, Ca-ras-co, Cara-va-hal-the vowel a in each instance, having the sound of that letter in the English word far. The j Isabella Margaret, daughter of James M. and Mar-

ly. Not less than \$12,000,000 of silver are coined in the various mints, of which there are some six or

THE DESTINY OF THIS REPUBLIC.—The Courrier des Etats Unis, the French paper in New York says " The annexation of Mexico may be regarded as

day, and from the American side also every Saturday, complete flight and terror that these set off with, from accomplished; and gives as an evidence that the popular mind is already looking to that ultimate issue, will alternately be the ports of departure. At present counter, frustrated the active measures of Sr. Gen. Arista, that the journals have designated the candidates for cavalry got to the point where they ought to have cut realization of these great destinies. That nation is This bridging of the Atlantic by steam is one of them off, they were already past, and some leagues ahead. England! Doubtless if she, like Brennus, throws the wisest and best undertakings of the Government.

Great was the disappointment of our valiants that they her sword in the scales, its weight will prevail. Yet could not meet the enemy face to face; their route sooner or later the American destiny will come up

cipated the wishes of the merchants of Great Britain and America. A stir was about being made carnestly to press this matter on the Government; and it is a subject of greater congratulation that it is voluntarily done, and that the duty of carrying out the mighty enterprise has devolved on the parties who, from the very first, have shown themselves equal to the necessities of the case. The past doings of the British and North American Royal Mail Company are a sure guaranty than any extra service will be carried out in the most complete and effective manner.—London Morning Herald of May 7.

Livsupoot, May 9.—Six months ago fears of a ruprure with the United States were general. Now they have disappeared. Not the least commotion was visible yesterday, when it became known that the Senate had passed the resolution for giving the notice, and, as we have intimated in another column, it had no visible effect on the cotton or any other market. This

venerated Washington, at Mount Vernon, last week, lowing causes in explanation :- 1. Great liveliness of was guilty of a shameful mutilation of an exquisitely conscience in matters of ordinary morality. This is was guilty of a shaineful mutilation of an exquisitely conscience in matters of ordinary morality. This is sculptured marble mantlepiece which had been presculptured marble mantlepiece which had been preproductive of acute remorse and extreme distress ceedings under a writ of renditions expones unless there is and repaired at short notice and cheap.

N. B. Ladies' and Gentlemen's Boots and Shoes of all kinds made ceedings under a writ of renditions expones unless there is

From the N. Y. Globe. Song of the Volunteers. BY OUR JONATHAN.

Tune-Old Dan Tucker. The Mexicans are on our soil, In war they wish us to embroil; They've tried their best and-worst to vex us, By murdering our brave men in Texas. Chorus-We're on our way to Rio Grande, On our way to Rio Grande, On our way to Rio Grande, And with arms they'll find us handy. We are the toys who fear no noise,

We'll leave behind us all our joys, To punish those balf-savage scamps, Who've slain our brethren in their campe. Cherus-We're on our way to Matamoras, On our way to Matamoras, On our way to Matamoras, And we'll drive them all before us. They've slaughtered Porter, Kain and Cross-

Mest deeply we deplore their loss-Those bloody deeds we'll make them rue And pay them off for old and new ! We're on our way to Matamoras, &c. We'll cross the famous Rio Grande, Engage the villains hand to hand,

We're on our way, &c. Herrera and Paredes too. And all the chiefs of the vile crew, We'll show unto their lazzaroni, Mounted on a wooden pony!

And punish them for all their sins,

By stripping off their yellow skins,

We're on our way, &c. And when we've punished them enough We'll make them shell us out the stuff To pay the war's expense, and then We'll have, besides, old Yucatan ! We're on our way, &c.

Meanwhile our brethren in the west Will for our nation do their best, And when they've ended their long journey Our flag will float in California. We're on our way, &c.

The world is wide, our views are large, We're sailing on in Freedom's barge, Our God is good and we are brave, From tyranny the world we'll save. We're on our way, &c. We have a mission to fulfil,

And every drop of blood we'll spill,

Unless the tyrants of our race, Come quait before our eagle's face. We're on our way, &c. He is thrice armed whose quarrel's just, And we fight now because we must, And any force that would us stop, Down to the earth must surely drop.

We're on our way, &c. John Bull may meddle if he please, But he had better keep at ease, For we are strong by sea and by land-If he don't mind we'll have old Ireland ! We're on our way, &c.

So every honest volunteer May now come forth-the coast is clear ; We ask no odds, for we are bent On having this whole continent. We're on our way, &c.

We go for equal rights and laws, We'll bravely fight in Freedom's cause, And though the world may take the field, To tyrants we will never yield. We're on our way, &c. The God of War, the mighty Mars,

Has smiled upon our stripes and stars ; And spite of any ugly rumors, We'll vanquish all the Montezumas! We're on our way to Matamoras, On our way to Matamoras, On our way to Matamoras, And we'll conquer all before us!

## Died,

On Sunday, May 31, Henry C. aged two years, son of Thomas A. and Rachel Morris. On Sabbath afternoon, May 31st, of scarlet fever,

Tears for the smitten heart

That mourns earth's severed ties .-

Tears for the loved, who part In sadness 'neath the skies,-Tears for earth's brightest hopes when fled-Tears for the cherished, early dead. Yes, tears may dim the eye, When sorrow sways control,

Nor yet one murmuring sigh Escape the stricken soul; For ah! when he of Bethany slept In death's embrace, then "Jesus wept." And ye may weep-'tis well-Since thus bereft ye are, For grief's own shadowy spell Is on your spirits there ; Ye mourn a spirit from you flown-A sweet voice from your household gone. Fond memories, I ween, Are busy in each heart,

> Recalling each dear scene In which your lost bore part ;

That eye of love-the smile-the kiss-That sweet, that cherub face ye miss! Ah, yes ! 'round board and hearth, A vacant place ye find-But one tie less on earth. Your spirits here to bind; And then how sweet the thought here given? Another harp is strung in heaven !

All that your fondest love Was wreathing for that brow, In the spirit land above, Is consummated now : What for your darling could ye crave, More than Heaven writes upon its grave? Then, though ye weep,-rejoice;

Though thus bereft-hope on ; And soon shall higher joys Your yearning spirits crowa: Sweet voices woo you to the skies,

INSANITY AMONG QUAKERS .- The London Globe it. The Constit Some vandal thief, who visited the mansion of the of the community. The same paper assigns the folenerated Washington, at Mount Vernon, last week, lowing causes in explanation:—I Great livelines of C. C. Opinion by BLACKFORD, J.

SUPREME COURT OF INDIANA.

Cases determined at the May Term, 1846. REPORTED FOR THE SENTINEL BY A. M. CARNAHAN,

FRIDAY, May 29. Smith, Administratrix, v. Smith. Error to the Warrer C. C. Opinion by Perkins, J.

A suit against replevin bail is an original action, and could be instituted (under the law governing this case) as soon as the liability of the bail for the debt of the principal and not by the jury.

An instrument of writing is to be construed by the Court and not by the jury.

If wool sold in bales is marked on the bales, and described, perty found " to an execution against the principal.

It is not necessary that a scire facias by an administratrix against replevin bail should show the revivor of the original wool is of that quality, there is a warrantee by the seller, that the wool is of that quality. judgment, or the name of the administratrix. Reversed. JAINER for the plaintiff; LANE and WILSON for the defen-

McCullough v. McCullough. Appeal from the Jefferson C. C. Opinion by PERKINS, J.

The Revised Statutes of 1842, section 36, chapter 35, to authorize courts to grant divorces, requires that, in "all cases," satisfactory proof, aside from the declarations of the parties, shall be produced. Reversed. BRIGHT for plaintiff; EGGLESTON for defendant.

McMahan and others v. Sherman. Error to the Allen C. C. Opinion by Dewey, J. A plea professing to answer the whole action, but answering but one of the several counts, is bad. A declaration in debt on a promissory note, alleging, in describing the contract, that the defendant promised, &c, is good, and may be joined with other counts in debt.

A plea of non assumpsit to an action of debt is a nullity, and a trial under that plea is erroneous. Reversed. Cole-RICK and WALPOLE for plaintiff; Coombs and Kiersten Barsour for appellee. Decatur C. C. Opinion by DEWEY, J.

The Circuit Court in trying an appeal from an order of the Board of County Commissioners directing the change of a is to be made. court of errors and must have before it the original papers.

Reversed. Bradley for the applicant.

C.C. Original papers.

would enable the Court to determine by calculation, the BLACKFORD, J.

It is not usury to take interest in advance. The taking of interest for a greater length of time than the note had to run is usury. Reversed. MARSHALL for plaintiff; BRIGHT for defendant. The State, for the use of the Inhabitants of Congressional

Grant C. C. Opinion by BLACKFORD, J.

A suit upon the bond of a School Commissioner, after the sessor of his heart, and he would give fifty thousand expiration of his term of office and the election of his suc- louisdors for one hair from her eyebrow. "Make cessor, should be brought in the name of the State, on the my compliments to the Duke," replied the lively lady, relation of such successor, and not in the name of the State, for the use of the inhabitants of the Congressional Township in which such Commissioner acts. Affirmed. PRATT for the plaintiff; Baownlee & Smith for defendant. "my compliments to the Duke," replied the lively lady. "and tell him I do not deal in retail; but since I have been so happy as to please him, he may have the whole for that sum."

MONDAY, June 1, 1846. Leach v. Swan administrator of Fife. Appeal from the

Union C. C. Opinion by PERKINS, J. 1. When a note is several as well as joint, an attachment to be thick and cartilaginous; that of the Jews somewill lie against the property of one of the makers, who is a what crooked. In France almost every man of ge-2. The proof on the hearing of the case in attachment nius has a well-formed nose. Short flat noses, so should show that the person with whose assistance the pro- censured by Aristotle, still rank low in the science of perty is appraised is a house-holder of the county. Reversed. physiognomy. Socrates, however, was a singular Rein for plaintiff, Perry for defendant. The State v. Brown. Error to the Boone C. C. Opinion

by PERKINS, J. In an indictment against a supervisor for failing to keep in repair a high-way it is not necessary to aver that the road would enable him to keep it. The want of means is a matter of defence. Reversed. HAMMOND for plaintiff; H. and H. Brown for defendant.

Tippecanoe C. C. Opinion by DEWEY, J. the constable's administrator, the assignment of the breach of the condition in the declaration that the constable "did not make legal service and return " of an execution placed in his hands is insufficient. Reversed. MACE and CRANE for the plaintiff; CHASE for defendant.

C. Opinion by Dewey, J. If a bill of exchange, drawn by a person residing in this tune by a successful mercantile career at Canton, in State on himself, payable in New Orleans and directed to himself at that place, be protested for non-payment, the China, and has recently suffered himself to be assessed drawer is liable to 5 per cent. damages. Kinney, WRIGHT for the whole public tax due from the town, in which and Gookins for plaintiff; Howard for defendant. Forbes v. Myers. Appeal from the Union C. C. Opinion

by BLACKFORD, J. speaking of the same words laid in the declaration subset to call Susan Oregon. quently to the bringing of the action, may be proved to show malice in fact, but not in the aggravation of damages. Reversed. Test & Reid for plaintiff; Sleith & Ryman for de-

Wayneck and another v. Connelly. Appeal from the Putnam C. C. Opinion by BLACKFORD, J. A bill was filed in chancery by C against D and B, for an injunction and other relief. The bill states that D had obtained separate judgments against A and B, on their joint and several promissory notes, that an execution issued on the judgment against B had been levied on certain real estate, that whilst said execution was in the hands of the Sheriff, C and E entered themselves replevin bail in the case, on the order book of the Circuit Court; that B is insolvent, and that A has property sufficient to satisfy the judgments against him; that D has issued execution on the order of bail entered into by the said C and E, and has caused it to be levied on certain real estate of C and E. Prayer to enjoin proceedings on the execution against C and E, until the property of A subject to execution be sold to satisfy the judgment against him, that the order of bail be set aside &c. which was ordered

Held. That there was no good reason for the filing this bill. D had this election to collect his money by an execution on the order of bail, if valid, or by an execution on the judgment against A. There is no ground for saying that the replevin bail of B could not be made liable except on the default of A. The bail were not surelies of A, nor was

In an action upon the covenant of seizin, and the covenant that the covenantor has a good right to convey, the breach may be alleged in the declaration by negativing the words of the covenant. Reversed. Howe for the plaintiff. Miller v. the State. Error to the Posey C. C. Opinion by PERKINS, J.

M was recognized to appear on a certain day before a magistrate to answer to the charge of having passed counterfeit money, failing to appear, his recognizance was declared forfeited, and with a transcript of his proceedings, filed by the justice in the Clerk's office of the Circuit Court, from which a scire facias against the bail was issued. Held, that the heil might discharge himself by surrendering the principal of the former rates, making a very

If a judgment, decree, or order on a writ of error to the Circuit Court and there reversed or remanded to the Probate
Court, with instructions to enter a certain judgment, which
is done, no appeal or writ of error lies from that judgment
to the Supreme Court. Cause dismised. Brownles for the

Brownles for the

Brownles for the

Brownles for the

Brownles for the plaintiff; MARCH for the defendant.

Opinion by DEWEY, J. If a cause in which the defendant is entitled to the benefit following, viz. of the general issue be certified by a justice of the peace to the Probate Court it is error in that Court to try the cause without a jury, although the defendant fail to appear there. Reversed. RYMAN & SPOONER for plaintiff; C. B. SMITH for

Gilbert v. the Board of Commissioners of Grant County. Error to the Grant C. C. Opinion by BLACKFORD, J.

B was elected county Auditor in 1841 and has continued in office ever since. The compensation for the discharge of his duties was reduced by the statute of January, 1844. Question. Whether the Auditor for services rendered subsequently to the last named statute could claim more than that statute allows. Held, that he could not. When the the office was accepted it was accepted subject to whatever regulations the legislature might afterwards make respecting

A judgment is not satisfied by a mere sale of land levied on.

A judgment debtor's title to land is not divested by pro-

pealed from a justice of the peace without an issue.

In such a case it is error, in an action of covenant, to do receive under the general issue, evidence of failure of consideration. Reversed. In a Smith for plaintiff.

Bowser & Bates v. Scott et al., Administrator of Thompson. Appeal from the Allen C. C. Opinion by Perkins, J.

Proceedings by a landlord against execution plaintiff to enforce payment of a year's rent out of the proceeds of the sale on execution of the goods of a tenant, will only lie upon those contracts on which distress might be supported.

Reversed. Comes & Kierstep for appellants

Reversed. Comms & Kiensted for appellants.
Groves and another v. McCabe and another. Error to the

Dearborn C. C. Opinion by Dewey, J.

An averment in pleading under a videlicet, of an imp day, is surplusage.

If to a scire faciat on a justice's transcript for execution against real estate, the defendant after appearance, suffer judgment to go against him by nul dicet no proof is required of the truth of the averment in the writ that the defendant

had real estate subject to execution. Affirmed, Spooner and W.S. Major for the plaintiff; Ryman for the defendants.

The Richmond Trading and Manufacturing Company v Farquhar. Error to the Wayne C.C. Opinion by Drwsy, J.

An ambiguity arising from the phraseology of a written instrument cannot be explained by parol evidence.

A power given by the seller of goods to a third person to weigh or deliver them to the buyer, does not authorize the agent to warrant on behalf of the seller, that the goods are

There can be no discontinuance of an action, if one plea answer all the counts, although another plea answer but a part of them. Reversed. NEWMAN for plaintiff; PARKER

and TEST for defendant. Abrams v. Smith, Appeal from the Marion C. C. Opinion by BLACKFORD, J. On an action of a slander-a charge that a person had committed a penitentiary offence, but was insane when he

committed it—is not actionable.

A demurrer will lie for part of the words in the same Words that are actionable must be proved to have been spoken, before evidence showing the quo animo is admissible. If evidence is given tending to show that the words were not spoken maliciously, the question of malice is for the jury.

Malice is not always inferred from the speaking of actionable words. They may be spoken on a justifiable occasion;

recover. Affirmed. O. H. SMITH for appelant; WICK and Reddington v. Himilton and others. Appeal from the ion by Blackford, J. Held, that the present statutory provisions (R. S. 1843, p. 671,) relative to the issuing of a capitar ad respondendum, has reference only to cases where an arrest

Haas v. Flint. Error to the Jefferson C. C. Opinion by amount due to the plaintiff. Reversed. Baken for plaintiff; Jones for defendant.

An Angel .- The Duke of Roquelaure while on a journey, met at a ball at Toulouse, a young lady of The State, for the use of the Inhabitants of Congressional Surprising beauty. He could not forget her, and sent back by a confidential friend to say she was the pos-

> Nose-ology .- Amongst Europeans, the Italians, rank first for beauty of nose; the Dutch for the excessive ugliness of that feature. The English nose is apt instance of a hideous nose. Boerhaave and Gibbon had each one of the same disagreeable features.

TAKING IT EASY .- "When a stranger treats me was not kept in as good repair as the available labor, &c., with want of respect," said a poor philosopher, "I comfort myself with the reflection that it is not myself that he slights, but my old and shabby coat and Major adm'r v. the State on rel. of Gappin. Error to the shabby hat, which, to say truth, have no particular claim to adoration. So if my hat and coat choose to In an action of debt on a constable's official bond, against fret about it, let them; but it is nothing to me." This philosopher, with all his poverty, was rich in wisdom

THE mansion and grounds of J. P. CUSHING. Watertown, Mass., are represented as undoubtedly the State Bank v. Bowens and others. Error to the Vigo C. most luxurious and magnificent to be found on this he at present resides.

A poor Mechanic at Baltimore, named Hitchcock. If a defendant, in an action of slander, after making the charges alleged in the declaration, repeated them, he is liable to a separate action for each repetition, but such repetition daughters, whom he named Jane Polk, Mary Florida, cannot be proven in the suit to aggravate the damages. The and Martha Texas. It is a pity he had not one more

### Cincinnati Prices Current. Corrected from the Chronicle of May 30. Flour, city mitls, bbl \$2.90a3.95 Oil, tinseed, gal 2.87a2.90 Selt, Kanawha bush

Grain, wheat, bush 0.50a0.56 Seeds, flax, bush 0.28a0-29 Timothy, 0,23a0.26 Cover, 2.5003.50 7 00a8.00 Whisky, gall 0.144144

FOREIGN PERIODICALS.

REPUBLICATION OF The London Quarterly Review, The Edinburgh Review, The Foreign Quarterly Review, The Westminister Review, and Blackwood's Edinburgh Magazine.

THE above Periodicals are reprinted in New York, immediately on their arrival by the British steamers, in a beautiful clear type, on fine white paper, and are faithful copies of the originals—BLACK-wood's MAGAZINE being an exact fac simile of the Edinburgh edition.

The wide-spread fame of these splendid Periodicals renders it need-The wide-spread fame of these splendid Periodicals renders it needless to say much in their praise. As literary organs, they stand far in advance of any works of a similar stamp now published, while the political complexion of each is marked by a dignity, candor, and forbearance not often found in works of a party character.

They embrace the views of the three great parties in England—Whig, Tory, and Radical. "Blackwood" and the "London Quarterly" are Tory; the "Edinburgh Review," Whig; and the "Westminster," Radical. The "Foreign Quarterly" is purely literary, being devoted principally to criticisms on foreign Continental Works.

there any connection between them. Reversed. McGaughey
& Cowgill for plaintiff; Bryant & Hanna for defendant.

The prices of the Reversus are less than one third of those of the foreign copies, and while they are equally well got up, they afford all that advantage to the American over the English reader.

The prices of the Reversus are less than one third of those of the foreign copies, and while they are equally well got up, they afford all that advantage to the American over the English reader.

The prices of the Reviews are equally well got up, they afford all that advantage to the American over the English reader.

The prices of the Reviews are equally well got up, they afford all that advantage to the American over the English reader.

The prices of the Reviews, \$3.00 per annum.

For any two of the Reviews, 5.00 per annum.

To no prices of the Reviews, 5.00 per annum. \$3,00 per annum.
5,00 per annum.
7,00 per annum.
8,00 per annum.
3,00 per annum. For any three of the Reviews, For all four of the Reviews, For Blackwood's Magazine, 3,00 per annum. For Blackwood and the four Reviews, 10,00 per annum.

CLUBBING.
Four copies of any or all of the above works will be asnt to one lress on payment of the regular subscription for three—the fourth

the bail might discharge bimself by surrendering the principal in the Circuit Court before final judgment on the scire facias. Reversed. Pitcher & Edson for plaintiff; Lock-Hart & Bradley for defendant.

Brownlee adm'r v. Whitesides. Appeal from the Grant Probace C. Opinion by Dewey J.

Probace C. Opinion by Dewey J.

If a independ discharge bimself by surrendering the principal chies and towns throughout the United States, to which there is a direct Railroad or water communication from the city of New York, these periodicals is reduced by the late Post Office law, to about one third the former rates, making a very important saving in the expense to mail subscribers.

In all the principal cities and towns throughout the United States, to which there is a direct Railroad or water communication from the city of New York, these periodicals is reduced by the late Post Office law, to about one third the former rates, making a very important saving in the expense to mail subscribers.

\*\*\* In all the principal cities and towns throughout the United States, to which there is a direct Railroad or water communication from the city of New York, these periodicals will be delivered Free Of Postage.

June 5-1-6m

Publishers, 112 Faiton St., New York.

BOOTS AND SHOES. plaintiff; March for the defendant.

Owen v. Moore adm'r. Error to the Fayette Probate C.

Opinion by Dewey, J.

If a cause in which the defendant is entitled to the benefit.

For the Ladies. Shaw's best colored kid and morocco Slippers; Shaw's best black kid and morocco Slippers; Shaw's best black kid French Ties; Black Lasting Half Guiters; Black Buskin Guiters; Faucy colored Half Guiters; Light spring-heeled Walking Buskins;
Morocco and Frerch Ties;
Spring-heeled morocco Ties and Slippers;
Spring-heeled and sent Ties and Slippers;
with a large assortment of cheap Slippers, from 37 to 75 cents.

For Gendemen. Dress Channel Boots, custom make; Dress Channel Boots, best Boston make; Drees Channel Boots, own make: Fine Calf Bootees, various qualities; with a complete stock of cheap shoes of almost every description-

For Misses.

Superior calf and kip Bootees, of his own manufacture; togethe with a complete assortment of children's Boots and Shoes, att or which he pledges himself to sell at fair prices, either Wholesale or Retail

Ladies' and Misses' Shoes and Slippers.

ADIES' super black English kid Slippers, very fine;
do super black French kid Slippers, very fine;
do super colored English kid Slippers, extra fine;
do super Colored English kid Slippers;
do super English and American kid Slippers;
do super Philadelphia Gaiters and Half Gaiters, black;
do super Philadelphia Gaiters and Half Gaiters, colored;
Lisses' super black and colored kid Slippers;
do super black and colored Kid Slippers;
do super black and colored Gaiters and Half Gaiters;
do super English kid Buskins and Ties;
do super carp and goat Buskins and Ties.
Children's Shoes of every description and price, by the single pair or bushel. Call at the sign of the Big Boot, at the City Shoe Store.

2

J. H. OGLESBY. Ladies' and Misses' Shoes and Slippers.

SHOES! SHOES! SHOES! EN'S fine goat Brogans, pegged;
do fine goat Downings, sewed;
do fine goat Nullifiers, sewed;
do fine calf Shoes, sewed and pegged;
do fine D'Orsay Gaiters, very fine;
do fine plain cloth Gaiters,
do fine calf and morocco Slippers.
For sale chenp, at the sign of the Big Boot.

SADDLERY! SADDLERY!

A N assortment of men's Fall-back, Horned, and Plain!

Side Saddles, Bridles, Mortingales, Hatters, capped, Side Saddies, Bridies, Mortingales, Hatters, capped, padded, apper leather Collars, Check Lines with snaps, Trotting Reins, Hip straps, Plow and Lead Lines, Single and Double Harness, &c. &c. ust received and for sale at the Dayton But and Shoe Store, for cash or produce.

2-34.

CANNON POWDER. OVERNMENT Proof Cunnon Powder, for sale at SMITH, HANNA & CO.'s.